

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

\_\_\_\_\_  
CATHERINE DUKES, Individually and On Behalf of :  
All Others Similarly Situated, :

Plaintiff, :

vs. :

COLUMBIA ACORN FUND, COLUMBIA ACORN :  
SELECT, COLUMBIA ACORN USA, COLUMBIA :  
ASSET ALLOCATION FUND, COLUMBIA :  
BALANCED FUND, COLUMBIA COMMON :  
STOCK FUND, COLUMBIA DISCIPLINED :  
VALUE FUND, COLUMBIA DIVIDEND INCOME :  
FUND, COLUMBIA GROWTH & INCOME FUND, :  
COLUMBIA GROWTH FUND, COLUMBIA :  
GROWTH STOCK FUND, COLUMBIA LARGE :  
CAP CORE FUND, COLUMBIA LARGE CAP :  
GROWTH FUND, COLUMBIA LARGE :  
COMPANY INDEX FUND, COLUMBIA LIBERTY :  
FUND, COLUMBIA MID CAP GROWTH FUND, :  
COLUMBIA MID CAP VALUE FUND, :  
COLUMBIA REAL ESTATE EQUITY FUND, :  
COLUMBIA SMALL CAP FUND, COLUMBIA :  
SMALL CAP VALUE FUND, COLUMBIA SMALL :  
COMPANY EQUITY FUND, COLUMBIA SMALL :  
COMPANY INDEX FUND, COLUMBIA :  
STRATEGIC INVESTOR FUND, COLUMBIA :  
TAX-MANAGED AGGRESSIVE GROWTH FUND, :  
COLUMBIA TAX-MANAGED GROWTH FUND, :  
COLUMBIA TAX-MANAGED GROWTH FUND II, :  
COLUMBIA TAX-MANAGED VALUE FUND, :  
COLUMBIA TECHNOLOGY FUND, COLUMBIA :  
THERMOSTAT FUND, COLUMBIA UTILITIES :  
FUND, COLUMBIA YOUNG INVESTOR FUND, :  
COLUMBIA ACORN INTERNATIONAL FUND, :  
COLUMBIA ACORN INTERNATIONAL SELECT :  
FUND, COLUMBIA EUROPE FUND, COLUMBIA :  
\_\_\_\_\_

[Caption continues on next page]

Civil Action No. 1:04-cv-10315-PBS

Related Actions:

1:04-cv-10355-PBS  
1:04-cv-10405-PBS  
1:04-cv-10408-PBS  
1:04-cv-10534-PBS  
1:04-cv-10555-MLW  
1:04-cv-10567-MEL  
1:04-cv-10603-PBS

**NOTICE OF FILING OF MOTION FOR APPOINTMENT OF  
LEAD PLAINTIFF AND APPROVAL OF SELECTION OF LEAD COUNSEL**

---

GLOBAL EQUITY FUND, COLUMBIA	:
INTERNATIONAL EQUITY FUND, COLUMBIA	:
INTERNATIONAL STOCK FUND, COLUMBIA	:
NEWPORT ASIA PACIFIC FUND, COLUMBIA	:
NEWPORT JAPAN OPPORTUNITIES FUND,	:
COLUMBIA NEWPORT GREATER CHINA	:
FUND, COLUMBIA NEWPORT TIGER FUND,	:
COLUMBIA CONTRARIAN INCOME FUND,	:
COLUMBIA CORPORATE BOND FUND,	:
COLUMBIA FEDERAL SECURITIES FUND,	:
COLUMBIA FIXED INCOME SECURITIES	:
FUND, COLUMBIA FLOATING RATE	:
ADVANTAGE FUND, COLUMBIA FLOATING	:
RATE FUND, COLUMBIA HIGH YIELD FUND,	:
COLUMBIA HIGH YIELD OPPORTUNITY FUND,	:
COLUMBIA INCOME FUND, COLUMBIA	:
INTERMEDIATE BOND FUND, COLUMBIA	:
INTERMEDIATE GOVERNMENT INCOME	:
FUND, COLUMBIA MONEY MARKET FUND,	:
COLUMBIA QUALITY PLUS BOND FUND,	:
COLUMBIA SHORT TERM BOND FUND,	:
COLUMBIA STRATEGIC INCOME FUND,	:
COLUMBIA US TREASURY INDEX FUND,	:
COLUMBIA CALIFORNIA TAX-EXEMPT FUND,	:
COLUMBIA CONNECTICUT INTERMEDIATE	:
MUNICIPAL BOND, COLUMBIA	:
CONNECTICUT TAX-EXEMPT FUND,	:
COLUMBIA FLORIDA INTERMEDIATE	:
MUNICIPAL BOND FUND, COLUMBIA HIGH	:
YIELD MUNICIPAL FUND, COLUMBIA	:
INTERMEDIATE TAX-EXEMPT BOND FUND,	:
COLUMBIA MANAGED MUNICIPALS FUND,	:
COLUMBIA MASSACHUSETTS	:
INTERMEDIATE MUNICIPAL BOND FUND,	:
COLUMBIA MASSACHUSETTS TAX-EXEMPT	:
FUND, COLUMBIA MUNICIPAL MONEY	:
MARKET FUND, COLUMBIA NATIONAL	:
MUNICIPAL BOND FUND, COLUMBIA NEW	:
JERSEY INTERMEDIATE MUNICIPAL BOND	:
FUND, COLUMBIA NEW YORK	:
INTERMEDIATE MUNICIPAL BOND FUND,	:
COLUMBIA NEW YORK TAX-EXEMPT FUND,	:
COLUMBIA OREGON MUNICIPAL BOND	:
FUND, COLUMBIA PENNSYLVANIA	:

---

[Caption continues on next page]

---

INTERMEDIATE MUNICIPAL BOND FUND, :  
 COLUMBIA RHODE ISLAND INTERMEDIATE :  
 MUNICIPAL BOND FUND, COLUMBIA TAX- :  
 EXEMPT FUND, COLUMBIA TAX-EXEMPT :  
 INSURED FUND, COLUMBIA SMALL CAP :  
 GROWTH FUND, COLUMBIA EUROPEAN :  
 THEMATIC EQUITY FUND, COLUMBIA :  
 GLOBAL THEMATIC EQUITY FUND, :  
 COLUMBIA DAILY INCOME COMPANY FUND :  
 (collectively known as "COLUMBIA FUNDS"); :  
 COLUMBIA ACORN TRUST, COLUMBIA :  
 BALANCED FUND INC./OR, COLUMBIA :  
 COMMON STOCK FUND INC., COLUMBIA :  
 DAILY INCOME COMPANY, COLUMBIA FIXED :  
 INCOME SECURITIES FUND INC., COLUMBIA :  
 FLOATING RATE ADVANTAGE FUND, :  
 COLUMBIA FLOATING RATE FUND, :  
 COLUMBIA FUNDS TRUST I, COLUMBIA :  
 FUNDS TRUST II, COLUMBIA FUNDS TRUST :  
 III, COLUMBIA FUNDS TRUST IV, COLUMBIA :  
 FUNDS TRUST IX, COLUMBIA FUNDS TRUST :  
 V, COLUMBIA FUNDS TRUST VI, COLUMBIA :  
 FUNDS TRUST VII, COLUMBIA FUNDS TRUST :  
 VIII, COLUMBIA FUNDS TRUST XI, COLUMBIA :  
 GROWTH FUND INC., COLUMBIA HIGH YEILD :  
 FUND INC., COLUMBIA INSTITUTIONAL :  
 FLOATING RATE INCOME FUND, COLUMBIA :  
 INTERNATIONAL STOCK FUND INC., :  
 COLUMBIA MID CAP GROWTH FUND INC., :  
 COLUMBIA OREGON MUNICIPAL BOND FUND :  
 INC., COLUMBIA NATIONAL MUNICIPAL :  
 BOND FUND INC., COLUMBIA REAL ESTATE :  
 EQUITY FUND INC., COLUMBIA SHORT TERM :  
 BOND FUND INC., COLUMBIA SMALL CAP :  
 GROWTH FUND INC., COLUMBIA STRATEGIC :  
 INVESTOR FUND INC., COLUMBIA :  
 TECHNOLOGY FUND INC. (collectively known as :  
 "COLUMBIA FUNDS REGISTRANTS"); :  
 FLEETBOSTON FINANCIAL CORPORATION; :  
 COLUMBIA MANAGEMENT GROUP, INC.; :  
 COLUMBIA MANAGEMENT ADVISORS, INC.; :  
 COLUMBIA WANGER ASSET MANAGEMENT, :  
 L.P.; COLUMBIA FUNDS DISTRIBUTOR, INC.; :  
 and JOHN DOES 1-100, :

---

Defendants.

WHEREAS, certain actions related to the above-entitled actions, including *Ehrlich v. Columbia Acorn Fund, et al.*, No. 04-cv-1285 (D. Md. transferred Apr. 26, 2004 from 04-cv-10405 (PBS) (D. Mass. filed on Mar. 1, 2004)) (hereinafter “*Ehrlich*”), are pending in the United States District Court for the District of Maryland pursuant to transfer by the Judicial Panel on Multidistrict Litigation (the “Panel”) under *In re Mutual Funds Investment Litigation*, MDL-1586;

WHEREAS, on April 9, 2004, counsel for various Columbia defendants notified the Panel of actions naming them as defendants and alleging similar claims as MDL-1586 pending in the District of Massachusetts and the Southern District of New York, including *Dukes v. Columbia Acorn Fund, et al.*, No. 04-cv-10315 (PBS) (D. Mass. Filed on Feb. 13, 2004); *Ehrlich; AB Medical Equipment Corp. v. FleetBoston Financial Corp., et al.*, No. 04-cv-10355 (PBS) (D. Mass. Filed on Feb. 23, 2004); *Wick v. FleetBoston Financial Corp., et al.*, No. 04-cv-10408 (PBS) (D. Mass. Filed o Mar. 1, 2004); *Armetta v. FleetBoston Financial Corp., et al.*, No. 04-cv-10555 (MLW) (D. Mass. Filed on Mar. 19, 2004); *Slaybe v. Columbia Acorn Fund, et al.*, No. 04-cv-10534 (PBS) (D. Mass. Filed on Mar. 16, 2004); *Segel v. FleetBoston Financial Corp., et al.*, No. 04-cv-10567 (MEL) (D. Mass. Filed on Mar. 23, 2004); and *Caprio v. Columbia Acorn Fund et al.*, No. 04-cv-10603 (PBS) (D. Mass. Filed on Mar. 29, 2004), and requested that such actions be designated as potential “tag-along” cases to MDL-1586 and transferred to the District of Maryland;

WHEREAS, the District of Maryland has created a “track” within MDL-1586 for actions involving Columbia mutual funds related to the above-captioned actions; and

WHEREAS, on May 10, 2004, counsel for all movants who had previously-filed timely Columbia lead plaintiff motions conferred and agreed that movant Jackie Williams has the largest financial interest of any single Columbia lead plaintiff movant;

PLEASE TAKE NOTICE, that counsel for Jackie Williams and for plaintiffs in the actions *Dukes v. Columbia Acorn Fund*, No. 04-CV-10315 (PBS) (D. Mass.); *Ehrlich*; and *Caprio v. Columbia Acorn Fund*, No. 04-CV-10603 (PBS) (D. Mass.), has filed on May 19, 2004 a motion for appointment of Jackie Williams as Lead Plaintiff and approval of selection of Lead Class Counsel and Administrative Counsel of the Columbia subtrack (the "Motion"), pursuant to the Private Securities Litigation Reform Act of 1995, 15 U.S.C. 78u-4 et seq., in the United States District Court for the District of Maryland. This Notice of Filing incorporates the Motion by reference as if filed in this District.

Dated: May 20, 2004  
Boston, MA

Respectfully submitted,

**MOULTON & GANS, P.C.**

By: /s/ Nancy Freeman Gans  
Nancy Freeman Gans. BBO #184540  
33 Broad Street, Suite 1100  
Boston, MA 02109-4216  
Telephone: (617) 369-7979

***Counsel for Plaintiffs Catherine Dukes, Steven B. Ehrlich and Luann K. Caprio***

**MILBERG WEISS BERSHAD  
& SCHULMAN LLP**

David J. Bershad  
Deborah Clark-Weintraub  
Kim E. Levy  
One Pennsylvania Plaza  
New York, NY 10119-0165  
Telephone: (212) 594-5300

*Counsel for Plaintiffs Catherine Dukes, Steven B.  
Ehrlich, Luann K. Caprio and Jackie Williams  
and Proposed Lead Counsel and Administrative  
Counsel of the Columbia Subtrack*

**CERTIFICATE OF SERVICE**

On May 20, 2004, I, Adam Wierzbowski, an associate of the law firm of Milberg Weiss Bershad & Schulman LLP, caused the Notice of Filing to be served by U.S. Mail, on the persons listed below:

Dated: May 20, 2004

/s/ Adam Wierzbowski  
Adam Wierzbowski

**Service List**

**Plaintiffs' Counsel:**

Jules Brody  
Aaron Brody  
Tzivia Brody  
**Stull Stull & Brody**  
6 East 45<sup>th</sup> Street  
New York, NY 10017

Joseph H. Weiss  
**Weiss & Yourman**  
551 Fifth Avenue  
New York, NY 10176

David Pastor  
**Gilman and Pastor, LLP**  
Stonehill Corporate Center  
999 Broadway, Suite 500  
Saugus, MA 01906

Ronald B. Rubin  
Patrick C. Smith  
Michael A. Stodghill  
**Rubin & Rubin, Chartered**  
One Church Street, Suite 301  
Rockville, Maryland 20850

Nadeem Faruqi  
Shane Rowley  
Antonio Vozzolo  
**Faruqi & Faruqi LLP**  
320 East 39<sup>th</sup> Street  
New York, NY 10016

Brian I. Robbins  
Jeffrey P. Fink  
**Robbins Umeda & Fink, LLP**  
1010 Second Avenue, Suite 2360  
San Diego, CA 92101

Steven J. Brooks  
Robert D. Hamilton  
**Deutsch Williams Brooks  
Derensis & Holland, P.C.**  
99 Summer Street  
Boston, MA 02110

Nicholas E. Chimicles  
Denise Davis Schwartzman  
Timothy N. Mathews  
**Chimicles & Tikellis LLP**  
361 W. Lancaster Avenue  
Haverford, PA 19041

Alan L. Kovacs  
**Law Office of Alan L. Kovacs**  
2001 Beacon Street  
Suite 106  
Boston, MA 02135

Stanley M. Grossman  
H. Adam Prussin  
Ronen Sarraf  
**Pomerantz Haudek Block  
Grossman & Gross LLP**  
100 Park Avenue 26<sup>th</sup> Fl.  
New York, NY 10017

Richard J. Vita  
**Law Offices of Richard J. Vita, P.C.**  
77 Franklin Street, Suite 300  
Boston, MA 02110

Thomas M. Sobol  
**Hagens Berman LLP**  
225 Franklin Street, 26<sup>th</sup> Fl.  
Boston, MA 02110

Lawrence W. Schad  
James Shedden  
Steven Tomiello  
Tony Kim  
**Beeler, Schad & Diamond, P.C.**  
332 South Michigan Ave.  
Suite 1000  
Chicago, IL 60604

Marvin A. Miller  
Jennifer W. Sprengel  
Christopher B. Sanchez  
**Miller Faucher & Cafferty LLP**  
30 North La Salle Street  
Suite 3200  
Chicago, IL 60602

Samuel H. Rudman  
David A. Rosenfeld  
**Cauley Geller Bowman & Rudman, LLP**  
200 Broadhollow Road  
Melville, NY 11747

Marc A. Topaz  
Stuart L. Berman  
**Schiffrin & Barroway, LLP**  
Three Bala Plaza East  
Suite 400  
Bala Cynwyd, PA 19004

Nancy Freeman Gans  
**Moulton & Gans**  
33 Broad Street, Suite 1100  
Boston, MA 02109-4216

Charles J. Piven, P.A.  
**Law Offices of Charles J. Piven**  
401 East Pratt Street, Suite 2525  
Baltimore, Maryland 21202

Lionel Glancy  
**Glancy & Binkow LLP**  
1801 Avenue of the Stars, Suite 311  
Los Angeles, CA 90067

Eric J. Belfi  
**Rabin, Murray & Frank LLP**  
275 Madison Avenue  
New York, NY 10016

Curtis V. Trinko  
**Law Offices of Curtis V. Trinko, LLP**  
16 West 46<sup>th</sup> Street, 7<sup>th</sup> Floor  
New York, NY 10036

**Defendants' Counsel:**

Robert S. Henderson  
Steven W. Hansen  
**Bingham McCutchen LLP**  
150 Federal Street  
Boston, MA 02110

Kenneth E. Rechtoris  
**Bell, Boyd & Lloyd, LLC**  
Three First National Plaza  
70 West Madison Street, Suite 3300  
Chicago, Illinois 60602

Brien T. O'Connor  
**Ropes & Gray LLP**  
One International Place  
Boston, MA 02110-2624

Ira K. Gross  
**Sullivan & Worchester LLP**  
One Post Office Square  
Boston, MA 02109

Paul K. Rowe  
Stephen R. DiPrima  
Martin J.E. Arms  
Michael S. Winograd  
**Wachtell, Lipton Rosen & Katz**  
51 West 52<sup>nd</sup> Street  
New York, NY 10019